



2015 All-Foreclosure Mediator Event Pre-Plenary Activities and Certification Form

What is the purpose of the 2015 mandatory foreclosure mediator event?

The 2015 mandatory event for all foreclosure mediators is intended to provide an opportunity for participants to expand their skills and knowledge of foreclosure mediation practice. Participants will explore tools that can be used throughout the mediation process and address many of the topics identified in the mediator survey conducted in May 2015.

As the Foreclosure Fairness Program (FFP) has completed its fourth year, it is time for FFP mediators to work together to address topics identified by the group, and Commerce, as requiring discussion and clarification, and, when possible, consistent interpretation and application of the FFA statute and Commerce's guidelines.

What are the goals the 2015 event?

Event goals are three-fold: 1) all mediators will better understand the FFA statute, federal regulatory guidelines, and Commerce's expectations for mediators; 2) all mediators will expand their skills through sharing of best/effective practices; and 3) Commerce will better understand the expectations of foreclosure mediators and how to better assist them. In reaching these goals, all mediators will learn to consistently apply the FFA statute and Commerce's guidelines, creating a more consistent body of practice.

What do participants need to do to prepare for the event on November 2?

Each participant is asked to complete a number of pre-event activities (see pages 2-3). Completion of all activities maximizes the opportunity for interactive sharing and learning by all participants. Because the work each participant completes in advance will have a direct and significant effect on the learning opportunity for all participants at the event, you are asked to submit confirmation to Commerce that you have completed all pre-event reading/exercises on this checklist **on or before Monday, November 2, 2015.**

NOTE: Unless otherwise noted, all materials/activities are required. Additional activities will be posted mid-October. The list of activities and certification form will be revised as necessary. Commerce will send email notification regarding additional materials.

If you submit confirmation **prior** to November 2, please sign, scan, and email the Pre-Plenary Activities Checklist and Certification to foreclosuremediation@commerce.wa.gov; the Checklist and Certification are on page 4 of this document. Please include "Pre-Plenary Confirmation" in the email subject line. If you plan to submit your confirmation **on** November 2, please be prepared to hand it to the Commerce program staff during morning registration.

2015 All-Foreclosure Mediator Event

Pre-Plenary Activities

1. Survey Results

a. Event Topics

The purpose of this survey was to identify important topics to be addressed during the Event.

b. Mediators' & DRCs' Expectations and Satisfaction

The purpose of this survey was to provide mediators, case/intake managers, and DRC Executive Directors an opportunity to inform Commerce of your needs in order to be successful, efficient, and consistent in your program role. Please review the results of the survey. A summary of the results will be shared during the Event.

c. Mediator Fees & Scheduling Practices

The purpose of this survey was to provide mediators, case/intake managers, and DRC Executive Directors who handle mediation fees and scheduling an opportunity to inform Commerce of their practices. Please review the results of the survey. A summary of the results will be shared during the Event.

d. Borrower and Beneficiary Representative Satisfaction

The purpose of this survey is to provide borrower and beneficiary representatives an opportunity to give feedback about and the mediators. Please review the results of the survey. A summary of the results will be shared during the Event.

2. Foreclosure Fairness Act (FFA) Intent & Requirements; Commerce's Foreclosure Fairness Program Guidelines [#3 Ranked Survey Topic]

The following materials are essential to the plenary activities November 2.

a. Review & familiarize yourself with the Deed of Trust Act and FFA legislation that pertain to FFP.

- RCW 61.24.005 (Definitions and Intent)
- RCW 61.24.163 (Foreclosure Mediation Program)
- RCW 61.24.165 (Application of RCW 61.24.163)
- RCW 61.24.169 (Department maintains a list of approved mediators...)

b. Review & familiarize yourself with the most recent revision of the Foreclosure Fairness Program Guidelines. Program guidelines are compiled by Commerce in an effort to provide the foreclosure mediators, referrers, and other interested stakeholders with useful tools in navigating the referral and mediation process contemplated by the FFA.

c. Review & familiarize yourself with the Foreclosure Mediation Timeline. This document captures the stages of foreclosure mediation, and differentiates between the statutory requirements, Commerce's expectations, and mediator discretion (best/effective practices). **[Coming soon; will be posted mid-October]**

d. Review & familiarize yourself with the FFP How to Fill-out the Certification Form. This document contains detailed information about the completion and submittal of the certification form. It also answers several "Why am I asked to report this?" questions.

2015 All-Foreclosure Mediator Event Pre-Plenary Activities, continued

3. Federal Regulatory Guidelines (HAMP, CFPB, etc. [#2 Ranked Survey Topic]) and NPV Inputs & Test [#4 Ranked Survey Topic]

The following materials and exercises were designed by the [Northwest Justice Project](#) (NJP) and [Northwest Consumer Law Center](#) (NWCLC) to help you better understand Federal Regulatory Guidelines and NPV inputs and tests. NJP and NWCLC are borrower advocate organizations in Washington. Please contact Meredith Bruch at NJP if you have questions about the NPV and CFPB materials (meredithb@nwjustice.org), and Sheila O'Sullivan at NWCLC if you have questions about the HAMP presentation (sheila@nwclc.org). Please read the instructions provided in the "Instructions for HAMP, NPV, and CFPB Pre-Plenary Activities" document **first**, as they will help you understand how to use these materials together to complete the exercises.

- a. Instructions for HAMP, NVP, and CFPB Activities
- b. HAMP Servicing Guidelines Presentation (audio PowerPoint)
- c. NPV Presentation (audio PowerPoint)
- d. CFPB Presentation (audio PowerPoint)
- e. The Net Present Value Test in FFA Mediation Audio Script
- f. NPV Scenario for FFA Training (resource only; not required)
- g. FDIC Mod in a Box Calculator
- h. CFPB and FFA Timeline (resource only; not required)
- i. Other Presentation(s) as Provided (Beneficiary perspective)
- j. NPV and CFPB Scenarios and Quiz
- k. NPV and CFPB Quiz Answers

2015 All-Foreclosure Mediator Event Pre-Plenary Activities Checklist and Certification

Confirmation must be submitted to Commerce **on or before Monday, November 2, 2015**. If you submit confirmation **prior** to November 2, please put a “check-mark” in the box next to the activities completed, sign, scan, and email the Pre-Plenary Activities Checklist and Certification to foreclosuremediation@commerce.wa.gov. Please include “Pre-Plenary Confirmation” in the email subject line. If you plan to submit your confirmation **on** November 2, please be prepared to hand it to the Commerce program staff during morning registration. *Thank you!*

I certify that I have reviewed and completed the following 2015 All-Foreclosure Mediator Event Pre-Plenary readings and exercises on or before **Monday, November 2, 2015**.

- Mediators’ & DRCs’ Expectations and Satisfaction Survey
- Mediator Fees and Scheduling Practices Survey
- Borrower & Beneficiary Representative Satisfaction Survey
- RCW 61.24.005 (Definitions and Legislative Intent)
- RCW 61.24.163 (Foreclosure Mediation Program)
- RCW 61.24 .165 (Application of the Foreclosure Mediation Program)
- RCW 61.24.169 (Mediator Immunity and Protection from Discovery)
- Department of Commerce Foreclosure Fairness Program Guidelines
- Foreclosure Mediation Timeline **[Coming soon; will be posted mid-October]**
- How to Fill-out the Certification Form
- Instructions for HAMP, NPV, and CFPB Activities
- HAMP Servicing Guidelines Presentation
- NPV Presentation
- CFPB Presentation
- The Net Present Value Test in FFA Mediation Audio Script
- NPV Scenario for FFA Training (*resource only; not required*)
- FDIC Mod in a Box Calculator
- CFPB and FFA Timeline (*resource only; not required*)
- Other Presentation(s) as Provided (Beneficiary perspective)
- NPV and CFPB Scenarios and Quiz
- NPV and CFPB Quiz Answers

Participant Name (Please Print)

Participant Signature

Date of Signature